Minutes HAVA Grant Advisory Board September 2, 2004

Call to Order. Nick Handy called the first meeting of the HAVA Grant Advisory Board (Board) to order on September 2, 2004, at 10:04 am at the Best Western Summit Inn in Snoqualmie, Washington. Opening remarks by Nick Handy were followed by introductions.

Attendance. Board members attending the meeting included State Elections Director Nick Handy, Yakima County Administrator Doug Cochran, Cowlitz County Auditor Kris Swanson, King County Director of Records, Elections and Licensing Services Dean Logan, and Douglas County Auditor Thad Duvall. Secretary of State staff in attendance included Lori Guerrero, Shawn Merchant and Sheryl Moss. Kittitas County Auditor David Bowen also attended.

Administration. The advisory board made the following decisions relating to Board administration.

- Chair. The Board discussed selection of a chair and took the following action by motion.
- MOTION TO SELECT BOARD CHAIR. Dean Logan moved and Kris Swanson seconded that Doug Cochran be elected chair of the Board. The motion passed unanimously.
- Meetings Times. The Board agreed to meet quarterly in the first month of each quarter. This would allow the board to expeditiously consider grants submitted for the previous quarter. If the quarterly meeting falls near time when all the auditors are scheduled to meet, the Board recommended scheduling meetings to coincide with the Auditor Conference. The Board expressed interest in meeting during the upcoming WACO meeting in Spokane the first week of October 2004.
- Meeting Locations. The Best Western Summit Inn at Snoqualmie Summit was determined to be a good central meeting area for future meetings. The chair, in consultation with staff, will determine future meeting times and locations.
- Expense Reimbursement. The current proposed WAC rules provide that Board Members are entitled to reimbursement for meeting expenses at current state per diem and mileage rates.
- Public Meetings. The board decided that staff should publish on the Secretary of State website information relating to Board meeting times and locations as well as copies of board minutes. The Board expressed its view that all meetings should be open to the public and the public should be allowed to attend and observe meetings. The Board will not be holding

public hearings and the Board does not anticipate taking public testimony or comment. The Board also clarified that it will not be making any decisions, but rather will be making recommendations to the Secretary of State who will be making decisions. Significant meetings may merit a press advisory.

- Minutes. Minutes will be kept of Board meetings in a format that captures action taken, but without detail on discussions. Meeting minutes will be posted on the SOS website.
- Quorum. The Board established a quorum requirement of three members to convene or maintain a meeting.
- Action. The Board established a requirement that three votes be required to take any Board action.
- Bylaws. The Board is not interested in developing bylaws at this time and instead expressed a preference for establishing operating policies by motion documented in meeting minutes.
- Terms of Service. Board members serve at the pleasure of the Secretary of State. The Secretary has not designated terms of appointment. The three County Auditor members and the Director of Election member are serving in a representational capacity. Any change in the status of those members may require a change on the board. Otherwise, members serve until the HAVA grant program has been completed or other directive from the Secretary of State. Any vacancies will be filled by appointment of the Secretary.
- Scope of Authority. Staff regards the scope of authority of the Advisory Board to be the development of recommendations to the Secretary of State on HAVA grants to Washington counties.
- Staffing. The Elections Division of the Secretary of State's Office will provide staffing to the Advisory Board. HAVA Coordinator Lori Guerrero will be lead staff.

HAVA Implementation. Nick Handy provided a brief summary of significant steps taken by the Secretary of State's Office to implement HAVA.

Funding Report.

Staff Report. Shawn Merchant provided a summary of the different sources of HAVA funding received by the Secretary of State.

MOTION ON PUNCHCARD AND DRE GRANTS. Nick Handy moved, and Thad Duvall seconded, that the Board recommend as follows:

- (1) the Secretary of State should proceed to process and authorize grants to counties for punch card replacement and Disability Access voting equipment acquisitions consistent with the amounts authorized in the state plan for these purposes;
- (2) the foregoing grants are based upon amounts already published in the state plan and need not be presented to the Board for recommendation:
- (3) the primary purpose of these grants is for punch card replacement and Disability Access voting equipment acquisitions;
- (4) these monies may also may be expended for other Title III HAVA purposes upon proper documentation by the county, and
- (5) the Board will continue to monitor grants to counties to ensure that all monies are equitably distributed.

This motion passed unanimously.

MOTION ON ACCESSIBILITY GRANTS UNDER \$20,000. Nick Handy moved, and Thad Duvall seconded, that the Board recommend as follows:

- (1) the Secretary of State should directly and expeditiously process in the remainder of 2004 any grants by counties in amounts of \$20,000 or less for improving access to poll sites by voters with disabilities, and
- (2) these grants need not be presented to the Board for recommendation.

County Grant Agreements. Lori reviewed the Basic Agreement between the Secretary of State and counties and a sample amendment agreement. Each county has been sent a copy of the Basic Agreement via email and some counties have signed the agreements and returned them to the Secretary of State's Office.

Grant Disbursement. Lori gave a brief summary of the expenditures through July 31st. Currently \$850,057.35 of the State match has been expended and \$543,015.17 of the Early out money has been expended. A more detailed report will be provided to the Board prior to the next meting.

Grant Priorities. Lori presented the staff recommendation that would allow grant requests based on two priorities.

Priority 1 Grants. Staff recommended that \$30 million be reserved for the following activities required by HAVA.

- Punch card buy-out
- Disability Access voting equipment funding
- Voter registration Data Base (VRDB)
- Elections Management Systems (EMS)
- HAVA Poster
- Free Access
- Voter registration forms
- Provisional ballots

Priority 2 Grants. Staff recommended that \$20 million be reserved for the following election improvements that are not specifically required by HAVA:

- Accessibility
- Local voter pamphlets
- Outreach/education
- o Alternative language
- Poll worker training
- Voting equipment beyond the HAVA requirement

Reserve Monies. Staff recommended that the remaining \$12.3 million be held in reserve for future prioritization and use.

Grant Cycles. Lori presented the staff recommendation establishing grant cycles for the Priority 1 and Priority 2 grants.

Priority 1. Staff recommended that during the Priority 1 Grant Cycle, \$30 million be reserved for one year. The one year grant cycle would begin immediately and run until the end of the third quarter of 2005.

Priority 2. Staff recommended that four quarterly grant cycles of \$5 million each commence immediately. Of the \$20 million, \$10 million would be protected for 12 months for each county according to the number of registered voters in the county.

MOTION ON GRANT AMOUNTS AND CYCLES. Dean Logan moved, and Thad Duvall seconded, that the Board recommend as follows:

- 1) the grant priorities recommended by staff (attached as Exhibit A) be adopted by the Secretary;
- 2) the Secretary should open a grant cycle immediately that should conclude on September 30, 2005 to consider priority 1 grants;
- 3) \$30 million should be reserved during the priority 1 grant cycle for priority 1 grants;

- 4) the Secretary should open a series of four quarterly grant cycles with the first commencing on April 1, 2005 to consider priority 2 grants;
- 5) the Secretary should adopt a condition for submitting a priority 2 grant that the county submit a certification to the Secretary demonstrating the county has adopted a plan to comply with all HAVA requirements and deadlines;
- 6) the Secretary should make available \$5 million in each of the four quarterly grant cycles for priority 2 grants; and
- 7) the Secretary should establish a system designed to ensure that each county would have the opportunity for up to one year to submit a competitive grant for that county's pro rata share (based on registered voters) of \$10 million of these monies;

The motion passed unanimously.

Grant Processing. Lori Guerrero recommended a process for grant applications and processing. Under this process, grants would be reviewed on a quarterly basis unless a special meeting is called by the chair for good cause to review a grant request on an earlier basis. The Secretary of State staff would complete an initial review and scoring assessment of the grant requests and present the initial assessment to the Board. The Board would finalize the scoring process and develop recommendations to the Secretary of State. The Board requested that the staff proceed with this process.

WAC Rules: In consideration of the changes made at this meeting, Shawn Merchant will complete another draft of the WAC rules and distribute the rules for further review and comment.

Future Meetings. The next Board meeting is scheduled for Tuesday, October 5, 2004 at 8:30 a.m. in Spokane at the WACO Conference. The staff and Board will also make a 90 minute presentation to the Washington State Association of County Auditors on the HAVA grant process during the WACO Conference.

Adjourn: Chairman Cochran adjourned the meeting at 2:16 p.m.